

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KWAIN THOMPSON,

Plaintiff,

-against-

DETECTIVE JAMES QUILTY, et al.,

Defendants.

23-CV-3170 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated April 18, 2023, the Court directed Plaintiff, within 30 days, to either pay the \$402.00 in filing fees that are required to file a civil action in this Court or submit a completed request to proceed *in forma pauperis* (“IFP”) and prisoner authorization. That order specified that failure to comply would result in dismissal of the complaint. Plaintiff has not paid the fees or filed an IFP application and prisoner authorization.¹ Accordingly, the complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

¹ The order was mailed to Plaintiff at Elmira Correctional Facility, where he was incarcerated at the time. On April 28, 2023, the order was returned to the court with a notation on the envelope indicating that Plaintiff was no longer at Elmira. Records maintained by the New York State Department of Corrections and Community Supervision indicated that Plaintiff was now located at Mid-State Correctional Facility. *See* <http://nysdoccslookup.doccs.ny.gov/>. On May 11, 2023, the court remailed a copy of the order to Plaintiff at Mid-State.

The Clerk of Court is directed to enter judgment in this case.

SO ORDERED.

Dated: July 17, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge